

Moment Of Truth

Long Overshadowed By Timothy McVeigh, Terry Nichols Takes Center Stage As The Second Oklahoma City Bombing Trial Begins In Denver

Rocky Mountain News (Denver, CO)

By Lynn Bartels, Rocky Mountain News Staff Writer

September 28, 1997

DECKER, Mich. -- For almost all his 42 years, Terry Nichols has lived in the shadows.

His brothers were more outspoken. His first wife and his mother accused each other of controlling him.

Since April 19, 1995, Nichols has lived in the biggest shadow of all - the one cast by his former Army buddy, Timothy McVeigh.

Monday, in a Denver federal courtroom, Nichols will finally step from the background and into the harshest spotlight imaginable.

He will go on trial for his life, accused of helping McVeigh plot and carry out the murderous bombing of Oklahoma City's Alfred P. Murrah Federal Building.

Nichols' image is that of a mousy man unlucky in love and life, a failure in college, the Army and the outside world, a man who repudiated his citizenship in a bizarre tirade against the government.

His family and his friends describe a vastly different Terry Nichols - a loving, gentle man who started questioning the federal government in the 1980s when farmland America began turning into an economic graveyard.

``This is a very quiet, respectful, polite, hard-working man who does not have any prior arrests, convictions or even an act of meanness in his 40 years," defense attorney Ron Woods said at a hearing two years ago.

Meanness?

Prosecutors define meanness this way:

They say Nichols bought two tons of ammonium nitrate fertilizer and helped McVeigh mix it into a truck bomb to send the bloodiest message possible to the federal government.

McVeigh drove the truck to Oklahoma City and detonated the bomb, determined to create a ``high body count."

But the government says Nichols is just as responsible for the 168 deaths.

A jury of 12 Coloradans will decide. If they agree with the government, Nichols will join McVeigh on death row, the clock ticking toward their fast-track executions.

He wasn't there

When the Ryder truck exploded at 9:02 a.m. on April 19, 1995, Terry Nichols wasn't in Oklahoma City.

He was 240 miles away in Herington, Kan., where he had moved the previous month.

He said he didn't even know about the bombing until the next day when he went to a cable TV office to order service and saw footage on CNN.

Two days after the bombing, Nichols, his wife, Marife, and their 22-month-old daughter, Nicole, got into their pickup at home and drove off.

Three FBI agents watched. A surveillance plane flew overhead.

Ten minutes later, Nichols, his daughter in his arms, walked into the Herington police station.

“I'm Terry Nichols and my name's on TV,” he said. “I want to know why.”

Just the beginning

In the days after the bombing, three men sat in jail as material witnesses or suspects.

One was Timothy McVeigh.

One was Terry Nichols.

One was Nichols' brother, James Nichols.

James, an organic farmer, was held on explosives charges unrelated to the bombing.

He later was freed and the charges dropped.

But the FBI's treatment of him was so underhanded, family and friends say, that they do not trust the government's evidence against his brother.

“Everybody talks about these trials being closure,” James said this month, while harvesting barley near Decker, Mich. “This isn't closure. This is just the beginning.

“The government is lying. They're lying, lying, lying. They don't want anybody to find out who really blew up that building.”

A good upbringing

Terry Nichols' family has farmed for several generations in Michigan's “Thumb.” The picturesque landscape northeast of Detroit is dotted with small towns, immaculate family farms and acres of flower and vegetable gardens.

Nichols' parents, Robert Nichols and Joyce Walton, married in 1949. They eventually settled outside Lapeer, a farming community east of Flint near Lake Huron.

Terry was the third of four children.

Les, born in 1952, was the best looking, a popular athlete in high school.

James, born in 1954, was the boisterous one.

Terry, born on April 1, 1955, was the least trouble.

Suzanne, born in 1959, was the girl the family had longed for.

``They had a good upbringing, really," said Joyce, 66, who still lives on the farm.
``We didn't have much money, but we had a big garden and fruit trees and we fed them well."

Warm memories come flooding back as she leafs through black-and-white photographs of her children, dressed in Halloween costumes and blowing out birthday candles.

``Mother was a good cook," James recalled. ``We'd be out working the fields, and she'd bring out these big picnics.

``We worked hard and we played hard. I mean we played hard. We water-skied. We snow skied."

Ray Ferguson hunted and fished with the Nichols boys.

``Terry was so quiet half the time you didn't even know he was there," he said.

The Nicholsees owned 360 acres and gradually rented another 1,400. Robert occasionally worked construction and other jobs, and Joyce and the kids planted and harvested corn, wheat, rye, beans, oats and sugar beets.

But Terry didn't seem interested in farming.

``He used to say, `There must be an easier way to make a living. You can use your head instead of your hands,' " James recalled.

A family splits

Life wasn't always good on the farm.

For years, Robert and Joyce Nichols fought for reasons they still don't fully understand. They separated in May 1973 and divorced a year later.

Les nearly died in a welding accident in 1974 when vapors from a gas tank ignited. He spent six months in the hospital. His nose was gone. So were his ears. Severe scars lace his arms, torso and legs.

``In many ways that was a lot bigger nightmare than this thing with Terry," said Robert, 72, who now farms in Imlay City, Mich.

Terry graduated from Lapeer High School in June 1973 with a 2.6 grade-point average and enrolled at Central Michigan University 100 miles away.

His field: medicine.

``From the time he was 6 or 7, he said he was going to be a doctor some day," Robert said. ``I always encouraged him."

But Terry's college grades weren't great, and he dropped out of school in January 1974.

His father believes Terry's mother forced him to give up his childhood dream to help on the farm.

``Mother did not make him quit," James disagreed. ``Terry told me he didn't like it. He was confined into a dorm room, classrooms. It was like prison."

Terry moved to Colorado in 1976 and repaired small machines for a living near Boulder. He got a state real estate sales license in September 1977, but it expired in 1980 without ever being activated.

Terry went home to Michigan to help on the farm after only six or seven months in Colorado.

The farm crisis

Two years after the divorce, Joyce Nichols bought a 160-acre farm near Decker for Terry and James. Terry lived there off and on. James has lived there ever since.

``In the '70s, we made money hand over fist," James said. ``Geez, we could do no wrong. Then the '80s hit and you couldn't do anything right."

Bankers had urged farmers in the 1970s to borrow money and buy more land and equipment. But in 1979, interest rates and fuel prices skyrocketed and crop prices crashed.

Thousands lost land that had been in their families for generations. Robert eventually lost one of his farms.

Many farmers blamed federal farm policies. Suicides were not infrequent. A rural mental health director warned Congress in 1989 about a growing anti-government movement in rural America.

James said he went to two militia meetings and decided the movement wasn't for him.

``They just wanted to trot their guns around. They were morons," he said. ``I told them the pen is mightier than the sword."

The time of his life

James Nichols is a balding, bearded man who punctuates nearly every sentence with a laugh. His voice gets louder the longer he talks.

He is a busy man these days - and not just because of his own land and the 590 acres he rents.

He has co-authored a book with Bob Papovich, who lives down the road, on what they think really happened in the Oklahoma City bombing.

He makes TV appearances to tell how he was wrongly arrested.

He entertains journalists at what he calls ``the second most famous white house in the world."

His phone rings constantly.

``Collect from Joseph Hartzler," James heard when he picked up the phone one day in July. Hartzler was the chief prosecutor who persuaded 12 Coloradans to convict McVeigh and condemn him to die.

The caller was McVeigh, pulling a prank from his Colorado prison cell.

``Hey," McVeigh asked James, ``do you always accept collect calls from this guy?"

``All the time!" James said, laughing. ``Why do you think you're in there?"

James eagerly shows visitors what the FBI found when they searched his property.

An FBI evidence bag marked ``shrapnel" contains a crumpled Schlitz beer can so old it has a pull-tab.

``THAT'S WHAT THEY HELD ME ON!" he says, voice booming. ``THEY FOUND THIS IN THE DITCH!"

If his brother's life weren't on the line, James would be having the time of his life.

``Actually," Papovich said, with a smile, ``I think he still is."

For all James' bravado, some don't think that his relationship with his brother and McVeigh has been fully explained.

Jannie Coverdale, whose two grandsons were killed in the bombing, said she thinks Terry - and, to a degree, his brother James - turned McVeigh into a terrorist.

``Let's face it," Coverdale said. ``Tim was a good soldier. Something happened to Tim somewhere."

After leaving the Army disillusioned, Coverdale said, McVeigh ``looks up his old friend Terry and then meets James. They were so anti-government, it was just fuel for the fire."

Brothers and sisters

Terry Nichols was driving a tractor when he met Lana Kaye Walsh Vatter. She lived next to the property he was farming.

She was a twice-divorced real estate agent with two young children. Terry was interested in buying property.

They married in 1981. Terry was 25, Lana 30.

``We didn't have his mother's blessing," Lana wrote in her 1995 book, *By Blood Betrayed*, about the Oklahoma City bombing suspects. ``In fact, Terry feared Joyce would disown him."

Lana said her mother-in-law didn't thaw until their son, Josh, was born in 1982.

Throughout her book, Lana portrayed Joyce as a domineering woman who controlled Terry.

But Joyce and James say the book is ``full of lies."

``Lana is a liar who will do and say anything for money," James said.

Terry and his family lived with James for almost two years.

``James and I were never really close, although we tolerated each other . . .," Lana wrote. ``James was far more flamboyant and boisterous than Terry and enjoyed bossing Terry around. They had plenty of fights about it, probably by my urging Terry to be more aggressive and not take so much crap from James."

The family ties soon grew even more complex.

Lana's younger sister, Kelly, baby-sat Josh one day - and soon fell in love with James. They married in 1984. A son, Chase, was born in 1985.

But two years later, the marriage ended in a bitter divorce. James and Kelly have been in and out of court fighting ever since.

In 1988, Kelly accused James of sexually abusing their son. An investigation and lie-detector test cleared James, but the ordeal fueled his resentment toward government.

Terry and Lana's marriage also was faltering. Her career was taking off while he drifted from farming and securities sales to real estate and insurance.

In 1988, Lana picked up an Army recruiting pamphlet for Terry.

``I knew he needed a purpose in life and something to believe in and something to care about," she wrote.

``She just wanted to make it easier to run around on Terry," James said.

A buddy named Tim

Terry joined the Army on May 24, 1988, in Fort Benning, Ga. - the same day as a tall, skinny kid from New York named Timothy McVeigh.

Nichols stuck out because of his age. Nearly everyone in his unit thought it unusual that he had waited until he was 32 to enlist.

By the time the Army transferred McVeigh and Nichols to Fort Riley, Kan., they were close friends.

Nichols eventually moved off post, rented a house and brought Josh, then 6, to live with him. Lana stayed behind in Michigan and soon filed for divorce.

Less than a year after enlisting, Nichols was out. The Army granted him a hardship discharge on May 15, 1989, because he said he had child-care problems. Lana thinks that was just an excuse, that her husband couldn't adjust to Army life.

Lana went to Las Vegas, seeking to cash in on a hot real estate market.

Nichols went looking for another wife.

A Phoenix agency that recruits foreign brides for American men hooked him up with Marife Torres, who lived in poverty with her family in the Philippines.

They were married there on Nov. 20, 1990.

Terry was 35, Marife 17.

Marife later said that Terry told her a younger woman ``is easier to train."

Terry returned to the United (States alone, confident his bride would join him in a month. But visa problems delayed her departure for five months. By that time, she was pregnant by a former boyfriend.

Terry agreed to raise the child as his own. Jason Torres Nichols was born on Sept. 21, 1991, near Las Vegas.

Terry then moved his family to the farm in Decker.

McVeigh joined them there after leaving the Army in 1991.

Marife complained to her parents that she felt as if she had three husbands.

Renouncing citizenship

James and Terry Nichols be cq) came known around Sanilac County for their extreme views on government.

Terry renounced his U.S. citizenship, declared himself a sovereign citizen and argued that banks had no authority to try to recover money they had lent him. He filed court documents filled with legal babble.

``I thought he was sliding off the edge," said Paul Izydorek, who lives 1 1/2 miles from the Nichols farm in Decker and believes there is overwhelming evidence that Terry helped bomb the federal building.

McVeigh also griped about government, especially gun control.

``He had a different angle, a different aspect," James said. ``He knew the Gulf War was all a bunch of bunk, and they wouldn't let the soldiers finish the job."

But the galvanizing moment for McVeigh came on April 19, 1993, as he sat in the Nichols farmhouse, glued to the TV set.

The government's disastrous standoff with the Branch Davidians outside Waco would set in motion the events that culminated exactly two years later.

On the move

Terry Nichols and his new wife were often on the move, back and forth between Las Vegas, the Philippines and the farm in Decker.

Their daughter, Nicole, was born Aug. 1, 1993, in Decker.

Three months later, 2-year-old Jason, Marife's son by the former boyfriend, suffocated in a plastic bag in the Nichols farmhouse.

The death was ruled an accident, but Marife initially suspected her husband or McVeigh.

``Do you think Terry could have done something like this?" she asked Lana.

Nichols moved the family to Las Vegas in December, then spent much of his time commuting to Junction City, Kan., near Fort Riley. He told friends he was starting a military supply business.

In March 1994, he signed on as a ranch hand near Marion, Kan. He, Marife and Nicole lived there through September.

It was here, the government says, in the rolling wheat fields southeast of Topeka, that Nichols and McVeigh hatched their plan to inflict terror in the heartland.

Prosecutors say they bought fertilizer and racing fuel and hid the materials in storage lockers they rented under assumed names. The government also says they stole explosives from a quarry and that Nichols robbed an Arkansas gun dealer.

Go for it!

In November 1994, Nichols' almost nomadic travel patterns continued - this time to the Philippines. He gave his ex-wife, Lana, now remarried, a package to open if he did not return.

Fearing he planned to kill himself, she opened the package within hours. She discovered a letter to McVeigh, telling him to clear out storage lockers in Kansas if Nichols did not return.

``Your (sic) on your own," Nichols wrote McVeigh. ``Go for it!!!"

Nichols did return from the Philippines - and appeared, finally, to be settling down. He put \$5,000 cash down on a 900-square-foot house in Herington in January 1995.

McVeigh that spring told another former Army buddy, Michael Fortier of Kingman, Ariz., that Nichols was no longer interested in the bombing.

``Terry wanted out and Terry did not want to mix the bomb," Fortier testified at McVeigh's trial.

The government says Nichols did not get out but helped mix the bomb and stash McVeigh's getaway car in Oklahoma City.

The trail to Decker

Amid the black smoke, crying babies and falling glass that horrible morning in Oklahoma City, agents found a twisted axle from a Ryder truck.

That discovery led to McVeigh, who had used the Decker address when he registered at a Kansas motel in the same town where the bomb truck was rented.

Federal agents poured into Michigan. They interviewed James' ex-wife, Kelly. She had plenty to say about the man she had been fighting in court. She said James and Terry were members of the Michigan Militia, made homemade bombs on the farm and were good friends with McVeigh.

Two days after the blast, agents surrounded James' farm as he returned from an errand. Officers ordered him from the car, searched him for weapons and told him to open the trunk.

``Real slow,' they kept saying. `REAL SLOW!' They were paranoid," James said. ``I thought, boy, whoever gave them information on me really brainwashed these people."

Agents took James to the Sanilac County Courthouse. Before they went inside, he said, they urged him for nearly an hour to make a deal.

``I laughed right in their faces," he said.

James was in jail for the next 32 days. While he was gone, his friends planted his crops.

Federal prosecutors won't comment publicly on whether James Nichols' arrest and imprisonment for more than a month was proper.

Grilled by the FBI

Terry Nichols told FBI agents at the Herington police station that McVeigh had said ``something big" was going to happen, but Nichols didn't know what.

Finally, after 9 1/2 hours of questioning, they arrested him.

In Michigan, Nichols' mother said the FBI suggested she leave her home for her own safety.

“I'm not moving out,” Joyce recalls telling them. “If somebody wants to shoot me, I'll die honest because I've done nothing wrong.”

The Nicholoses now suspect that the FBI wanted to isolate the family members. Marife was in FBI custody for 35 days; during that time she learned she was pregnant again. Lana and Josh were in FBI custody six days.

Joyce tried to cope with two sons in jail and the Nichols name in the headlines.

Journalists erroneously reported that Les had been disfigured while trying to blow up a grain elevator.

Media portraits of Terry as a loser incensed his family and friends.

“I'm a loser,” friend Bob Papovich said. “I live in a trailer. Terry owned a home.”

A supermarket weekly offered Joyce \$100,000 for an interview.

“No way,” she told her second husband, Irv Wilt. “They can't pay me enough. That's blood money. Those poor people in Oklahoma.”

The Nicholoses' friends and neighbors rallied around them, bringing food and flowers and the most important gift of all: Their utter belief that Terry was not a mass murderer.

“Terry is a quiet person, a caring person,” said Rachel Ferguson, who married one of the Nicholoses' neighbors. “He didn't do it.”

Decision in Denver

The leaves in Michigan have turned red and yellow. The prettiest tree on Joyce's farm in Lapeer is the maple Terry planted for her as a boy on Mother's Day.

The calendar near the kitchen contains a single entry for Sept. 29: “Terry's trial in Denver starts.”

Joyce has rented an apartment in the metro area. She will attend the whole trial.

Marife moved to Denver early this year. She and the two children regularly visit Terry in a federal prison in Jefferson County.

Robert, who plans to attend some of the trial, wishes it were in Oklahoma City.

“Oh, I mean it,” he said. “The people there, they know what's going on. They know it didn't happen like the government says it did.”

“If you're fortunate to live for the next 100 years, you may find out what really happened in Oklahoma City.”

INFOBOX

Terry Nichols' family

Parents

*Joyce Nichols Wilt, 66 of Lapeer, Mich.

*Robert Nichols, 72, of Imlay City, Mich.

Siblings

*Leslie Nichols, 45, of Lapeer

*James Nichols, 43 of Decker, Mich.

*Suzanne Nichols, 38 of Holly, mich.

First marriage

*Former wife, Lana Padilla, 47, of Las Vegas

*Son, Josh Nichols, 15, of Las Vegas

Second marriage

*Marife Torres Nichols, 24, of Denver

*Son, Jason Torres Nichols, deceased

*Daughter, Nicole Nichols, 4, of Denver

*Son, Christian Nichols, 1 1/2, of Denver

CAPTION(S):

Photo (14), Map

Terry Nichols.

CAPTION: Joyce Nichols Wilt still lives in the house in Lapeer, Mich., where Terry Nichols and his three siblings were raised. Wilt says her son had nothing to do with the bombing and she will be in court every day to support him. By Dennis Schroeder / Rocky Mountain News.

CAPTION: James Nichols calls his home in Decker, Mich., "the second most famous white house in the world." Terry Nichols lived there off and on since 1975, and Timothy McVeigh once called it home. Among the crops James Nichols raises is spelt, an ancient wheat. By Dennis Schroeder / Rocky Mountain News.

CAPTION: Joyce Nichols and her three sons, Les, Terry and James, in 1956. Nichols family photo.

CAPTION: Nichol's first birthday, 1956.

CAPTION: Terry Nichols. In the 11th grade, 1972.

CAPTION: Terry Nichols with son, Josh, 1987.

CAPTION: Terry Nichols with second wife, Marife, 1990.

CAPTION: James Nichols examines court documents from his brother's bombing case at his home in Decker, Mich. He has received a flood of mail, phone calls and visitors since being held for 32 days after the explosion. By Dennis Schroeder / Rocky Mountain News.

CAPTION: Decker, Mich., is a quiet town, but it was filled with federal agents and journalists after the bombing. By Dennis Schroeder / Rocky Mountain News.

CAPTION: Timothy McVeigh used this pay phone in Herington, Kan., to call Terry Nichols the Sunday before the bombing. The government says McVeigh and Nichols were arranging to leave McVeigh's getaway car in Oklahoma City. By Dennis Schroeder / Rocky Mountain News.

FILE:RETURNED - UNAVAILABLE

(SCHROEDER)

CAPTION: ABOVE: The government says Terry Nichols bought 2 tons of ammonium nitrate from the Mid-Kansas Cooperative in MCPerson, Kan., and hid it in storage units until the spring of 1995 when he and Timothy McVeigh mixed the fertilizer with racing fuel to make a deadly bomb. By Dennis Schroeder / Rocky Mountain News.

CAPTION: LEFT: Burglars hit the Martin Marietta rock quarry outside Marion, Kan., on Oct. 1, 1994, and stole explosives. The government says Terry Nichols and Timothy McVeigh planned the break-in while Nichols was working nearby as a farmhand. By Dennis Schroeder / Rocky Mountain News.

CAPTION: James Nichols farms on 160 acres near Decker, Mich. His mother bought the land for him and his brother Terry in 1975. He has lived there ever since. By Dennis Schroeder / Rocky Mountain News.

CAPTION: Locator Map. Michigan.